

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**TIMOTHY DEAN WELCH,  
Plaintiff,**

**V.**

**JAROD BLEIBDREY<sup>1</sup>, et al.,  
Defendants.**

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**C.A. NO. C-06-392**

**ORDER STAYING PROCEEDINGS AS TO DEFENDANT JOSE HERNANDEZ FOR  
NINETY DAYS AND ORDER APPOINTING COUNSEL TO REPRESENT AND  
LOCATE DEFENDANT JOSE HERNENDEZ PURSURANT TO THE  
SERVICEMEMBERS CIVIL RELIEF ACT**

The Office of Attorney General has filed an *amicus* advisory that defendant Jose Hernandez is serving on active duty overseas in the United States Navy (D.E. 18). All proceedings in this case are stayed as to defendant Hernandez for a period of ninety days.

Pursuant to the Servicemembers Civil Relief Act, Assistant Attorney General Shanna Elizabeth Molinare is appointed to represent defendant Jose Hernandez. 50 App. U.S.C. § 521(b)(2). Within ninety days of the date of this order, counsel shall file either: (1) an answer on behalf of Mr. Hernandez; (2) a motion for a further stay which complies with the requirements of 50 App. U.S.C. § 522(b); or (3) a report detailing efforts to locate and communicate with defendant Hernandez.

ORDERED this 4<sup>th</sup> day of December, 2006.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>The Clerk shall amend defendant J. Bleibdery's name to "Jarod Bleibdrey" as represented by counsel in the defendants' answer (*See* D.E. 17).